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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

United States District Court
Southern District of Texas
ENTERED

JUL 21 1999

Michael N. Milby, Clerk of Court
By Deputy Clerk 

NORMA SERNA, Individually §
and as next friend of ALFREDO SERNA, §
a minor child, and §
JOHN and GLADYS McKENNA, §
Individually and as next friend of §
KATHLEEN McKENNA, a minor child §
Plaintiffs §
§
v. §
§
JEAN [sic] DEMRO, JACI EKERN, §
MARTHA MARTIN, FRANCES PAYNE, §
BETTY SEVILLA, DORTOTHY WAGNER, §
and JAMES SMITH §
Defendants §
§

CIVIL ACTION NO. B-97-049

ORDER ADOPTING MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION
AND FINAL JUDGMENT

Before the Court is Magistrate Judge's Report and Recommendation on the above-referenced cause of action. After a de novo review of the entire file, it is the opinion of this Court the Defendant's Motion for Summary Judgment should be

GRANTED as to the 42 U.S.C. §1983 cause of action against the Defendants in their official capacity;

GRANTED as to the 42 U.S.C. §1983 cause of action against the Defendants in their individual capacity;

GRANTED as to the state law claims of intentional infliction of emotional distress, false imprisonment, and negligence against the Defendants in their official capacity;

GRANTED as to the state law claims of intentional infliction of emotional distress, false imprisonment, and negligence against the Defendants in their individual capacity;

GRANTED as to the state constitutional law claim; and

GRANTED as to the denial of injunctive relief.

DONE in Brownsville, Texas on this 18 day of July, 1999.

Hilda Tagle
Hilda Tagle
United States District Judge